

EXHIBIT C



RE: U.S. v. Abrego Garcia

From Jenna Dabbs <jdabbs@heckerfink.com>

Date Mon 7/21/2025 2:37 PM

To McGuire, Robert (USATNM) <robert.mcguire@usdoj.gov>; jacob.warren@usdoj.gov <jacob.warren@usdoj.gov>; chris.eason@usdoj.gov <chris.eason@usdoj.gov>; jeremy.franker@usdoj.gov <jeremy.franker@usdoj.gov>; Harley, Jason (USAOKW) <Jason.Harley@usdoj.gov>

Cc Sean Hecker <shecker@heckerfink.com>; David Patton <dpatton@heckerfink.com>; Rascoe Dean <rdean@srvhlaw.com>

All,

On July 18, 2025, DHS Secretary Kristi Noem made inflammatory comments about Mr. Abrego at a press conference at the Homeland Security field office in Nashville. Among other comments, Secretary Noem stated that Mr. Abrego has “a lifetime history of trafficking individuals and of taking advantage of minors, soliciting pornography from them, nude photos of them, abusing his wife, abusing other illegals, aliens that were in this country, women that were under his care while he was trafficking them.” Secretary Noem called Mr. Abrego “a horrible human being and a monster” who “should never be released free.” Secretary Noem also stated that Mr. Abrego was “working in conjunction with” members of MS-13 and helped “facilitate the murder of a mother of one of the rival gangs.”

Those comments, made at a press conference in the District to local press, are highly likely to taint the jury pool and prejudice Mr. Abrego’s right to a fair trial under the local rules. See M.D. Tenn. L. Crim. R. 2.01(a)(2)(B) (identifying extrajudicial comments more likely than not to have a material prejudicial effect on a proceeding). As you are aware, Judge Crenshaw has ordered all counsel to follow the Local Rules, ECF 73, which include Local Criminal Rule 2.01. That Rule prohibits making a public extrajudicial statement that “will have a substantial likelihood of materially prejudicing an adjudicative proceeding in the matter.” *Id.* 2.01(a)(1). The Rule applies to both counsel and the “government agencies or offices” with which the government is associated, which includes DHS in this case. *Id.* 2.01(a)(4).

In other cases, the government has issued prompt retractions of inflammatory public statements by senior officials, and courts have recognized the importance of these retractions in evaluating whether other relief is warranted. See, e.g., *United States v. Koubriti*, 305 F. Supp. 2d 723, 745, 750 (E.D. Mich. 2003). We therefore request that the government publicly retract Secretary Noem’s remarks. Please confirm within 24 hours whether the government will issue a retraction. Thank you.

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From: Jenna Dabbs <jdabbs@heckerfink.com>

Sent: Wednesday, July 9, 2025 1:23 PM

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Cc: Sean Hecker <shecker@heckerfink.com>; David Patton <dpatton@heckerfink.com>; Rascoe Dean

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<rdean@srvhlaw.com>

Subject: Re: U.S. v. Abrego Garcia

All, I'm writing to follow up on my email from last Thursday—would you please confirm that you will pass Judge Crenshaw's order on to your respective supervisory chains and any government agencies that are responsible for the case? If your position is that you will not, please let us know the basis for that. Thanks.

Best,
Jenna

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From: Jenna Dabbs

Sent: Thursday, July 3, 2025 12:33:11 PM

To: McGuire, Robert (USATNM) <robert.mcguire@usdoj.gov>; jacob.warren@usdoj.gov
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Cc: Sean Hecker <shecker@heckerfink.com>; David Patton <dpatton@heckerfink.com>; Rascoe Dean
<rdean@srvhlaw.com>

Subject: U.S. v. Abrego Garcia

Hi all, would you please confirm that you will send Judge Crenshaw's order (Dkt. 73) to everyone in your respective supervisory chains, as well as to any government agencies or offices (as defined in Local Criminal Rule 2.01(a)(4)) involved in the case?

Thanks very much,
Jenna

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